

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

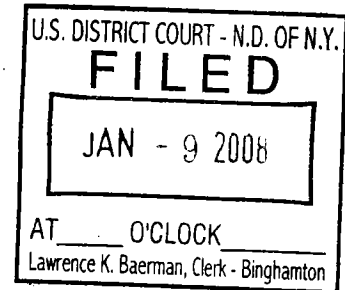
SAYED KHALIFA and AMANY CORPORATION,

Plaintiffs,

-against-

**THE TOWN OF COVENTRY, DONAL G. O'SHEA,
Individually and as Supervisor of the Town of
Coventry, New York, THERESA A. SCHULTHEIS,
Individually and as Town Clerk of the Town of
Coventry, RICHARD METZGER, Individually and
as Ordinance Officer of the Town of Coventry, JACK
STAFFORD, Individually and as Tax Assessor of the
Town of Coventry, ROBERT LARKIN, ESQ.,
Individually and as Assistant District Attorney of the
County of Chenango, and as Town Attorney of the
Town of Coventry, New York, and THOMAS
LOUGHREN, Individually and as Sheriff of the
County of Chenango,**

Defendants.



**Case No.: 3:05-CV-1341
TJM /DEP**

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFFS:

**JACOBS AND JACOBS, ESQS.
The Madison Building
31 Lake Street, P.O. Box 159
Stamford, NY 12167**

MICHAEL A. JACOBS, ESQ.

FOR DEFENDANTS:

**LEVENE GOULDIN & THOMPSON, LLP
450 Plaza Drive
Vestal, New York 13850**

MARIA E. LISI-MURRAY, ESQ.

**THOMAS J. McAVOY
U.S. DISTRICT JUDGE**

ORDER

Pending before the court is a motion by defendants seeking summary judgment and dismissal of plaintiffs' complaint in its entirety pursuant to Federal Rule of Civil Procedure 56. Dkt. No. 41. Plaintiffs

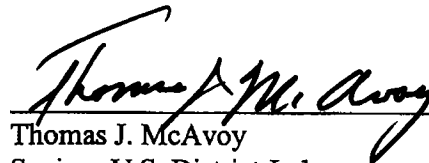
opposed defendants' motion for summary judgment and filed a cross-motion seeking to substitute a party. Dkt. No. 50. Defendants opposed plaintiffs' cross-motion and submitted a reply in further support of the motion for Summary Judgment. Dkt. No. 52. On December 28, 2007, oral argument was conducted in connection with defendants' motion and plaintiffs' cross-motion and, at the close of oral argument, the Court rendered a bench decision. For the reasons stated in the bench decision, defendants' motion for summary judgment is granted in its entirety and plaintiffs' cross-motion is denied.

Based upon the foregoing, and incorporating herein by reference the Court's bench decision, it is hereby

ORDERED as follows:

1. Defendants' motion for summary judgment, Dkt. No. 41, is hereby GRANTED in its entirety and all of plaintiffs' claims against defendants are hereby DISMISSED.
2. Plaintiffs' cross-motion, Dkt. No. 50, is hereby DENIED.

Dated: January 9, 2008


Thomas J. McAvoy
Senior, U.S. District Judge